

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Thursday, February 03, 2022

TIME: 3:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Martin, Vice Chairman Riggs, Senators Heider, Lee, Harris, VanOrden (Bair), Zito, Stennett, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED **Chairman Martin** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:01 p.m.

PASSED THE GAVEL: Chairman Martin passed the gavel to Vice Chairman Riggs.

RS 29293 **Down Syndrome Diagnosis Information.** **Chairman Martin** presented the bill to require health care providers to disseminate a Down Syndrome support sheet to parents who received prenatal test results indicating a high likelihood of Down Syndrome.

MOTION: **Senator Heider** moved to send **RS 29293** to print. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Vice Chairman Riggs passed the gavel back to Chairman Martin.

H 454 **COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED** - Amends existing law to provide correct federal statute citations.

Mike Walsh, Chief of Rehabilitation Services, Idaho Commission for the Blind and Visually Impaired, introduced himself to the Committee. **Mr. Walsh** reported that the bill would update an Idaho Code reference to a federal law.

MOTION: **Senator VanOrden** moved to send **H 454** to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Martin passed the gavel to Vice Chairman Riggs.

RULES REVIEW: **Vice Chairman Riggs** announced the Committee would vote on previously presented rule dockets. He clarified the process for approval or rejection of a docket or portion thereof.

DOCKET NO. 15-0100-2100 **Senator Heider** moved to approve **Docket No. 15-0100-2100**. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 15-0200-2100 **Senator Stennett** moved to approve **Docket No. 15-0200-2100**. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0000-2100 **Chairman Martin** moved to approve **Docket No. 16-0000-2100** with the exception of 16.03.09.772.01.c. **Senator Harris** seconded the motion.

DISCUSSION: **Chairman Martin** pointed out the reference to prosthetic and orthotic devices on page 533. He noted this requirement was not used by the Idaho Department of Health and Welfare (IDHW) and should have been deleted.

Vice Chairman Riggs stated the IDHW could issue a new temporary rule to address any deficiencies.

TESTIMONY: **J. Kelly Keele**, Transitions, Inc., testified in opposition to 16.03.21.407 and 16.03.21.302.01.a-e. **Mr. Keele** reported that the IDHW published the new sections without providing a redline version. He observed Section 407 and Section 302 added new requirements that would result in a significant burden on providers.

Senator Stennett reported that the Committee received an email from Kelly Lawrence asking for rejection of 16.03.21 because the rule would negatively impact providers and adults with developmental disabilities.

DISCUSSION: There was much Committee discussion regarding options for approving or rejecting various sections of the rule docket, the effect of Chairman Martin's motion, and the need to explore the expressed concerns with the IDHW.

SUBSTITUTE MOTION: **Senator Heider** moved to hold **Docket No. 16-0000-2100** in Committee. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0000-2100F **Senator VanOrden** moved to approve **Docket No. 16-0000-2100F**. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 24-0000-2100 The Committee engaged in discussion regarding identification of the changes in the rule docket. **Senator Wintrow** asked for a representative from the Idaho Commission on Aging (ICA) to provide a description of changes made to the investigation requirements.

MOTION: **Senator Lee** moved that **Docket No. 24-0000-2100** be held in Committee subject to the call of the Chair. **Senator Wintrow** seconded the motion.

DISCUSSION: **Tim Frost**, Deputy Administrator, Idaho Division of Occupational and Professional Licenses (DOPL), introduced himself to the Committee to clarify that **Docket No. 24-0000-2100** was a DOPL docket. He noted that **Docket No. 15-0100-2100** pertained to the ICA.

Senator Lee withdrew her motion. **Senator Wintrow** concurred in the withdrawal.

MOTION: **Chairman Martin** moved to approve **Docket No. 24-0000-2100**. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 24-0000-2100F **Senator Lee** moved to approve **Docket No. 24-0000-2100F**. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Vice Chairman Riggs passed the gavel back to Chairman Martin.

ADJOURNED: There being no further business at this time, **Chairman Martin** adjourned the meeting at 3:43 p.m.

Senator Martin
Chair

Lena Amoah
Secretary

Jeanne Jackson-Heim
Assistant Secretary